

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Milan M. Popovich and C. David Nabors

Assignee: SBG Labs, Inc.

Title: OPTICAL FILTER EMPLOYING HOLOGRAPHIC OPTICAL
ELEMENTS AND IMAGE GENERATING SYSTEM
INCORPORATION THE OPTICAL FILTER

Application No.: 10/668,619 Filing Date: September 23, 2003

Examiner: Dr. Leonidas Boutsikaris Group Art Unit: 2872

Docket No.: DGL0029C1US Confirmation No.: 2188

Austin, Texas
December 23, 2004

Mail Stop AMENDMENT
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER TO OBVIATE A
DOUBLE PATENTING REJECTION OVER A PATENT

12/29/2004 HALI11 00000046 10668619

02 FC:2814 65.00 DA

Sir:

Petitioner SBG Labs, Inc., a corporation having a place of business at 1288 Hammerwood Avenue Sunnyvale, California, 94089 USA is the owner of the entire interest in the instant application. Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,687,030. Petitioner hereby agrees that any patent so granted on the

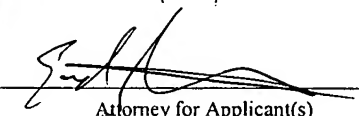
~~12/29/2004 HALI11 00000046 502306 10668619~~
~~01 FC:2253 510.00 DA~~

instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

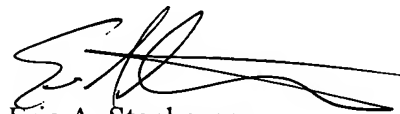
In making the above disclaimer, Petitioner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

In compliance with 37 C.F.R. § 1.20(d), the commissioner is authorized to charge the fee of \$65.00 to Deposit Account No. 502306 for this Terminal Disclaimer as set forth in the enclosed transmittal letter.

The undersigned represents that he is authorized to sign on behalf of Petitioner.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop <u>AMENDMENT</u> , Commissioner for Patents, P. O. Box 1450, Alexandria, Virginia, 22313-1450, on <u>12/23/09</u> .	
 Attorney for Applicant(s)	<u>12/23/09</u> Date of Signature

Respectfully submitted,



Eric A. Stephenson
Attorney for Applicant(s)
Reg. No. 38,321
(512) 439-5097 [Phone]
(512) 439-5099 [Fax]



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Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

ASSERTION OF SMALL ENTITY STATUS

Dear Sir:

Applicant(s) is a small entity and asserts small entity status pursuant to

37 C.F.R. 1.27.

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an envelope addressed to: Mail Stop Amendment,
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Virginia, 22313-1450, on 12/23/04.

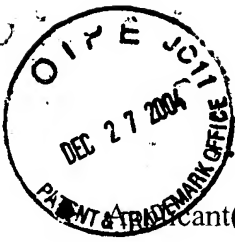

Attorney for Applicant(s)

12/23/04
Date of Signature

Respectfully submitted,



Eric A. Stephenson
Attorney for Applicant(s)
Reg. No. 38,321
Telephone: (512) 439-5093
Facsimile: (512) 439-5099



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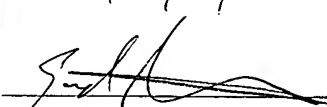
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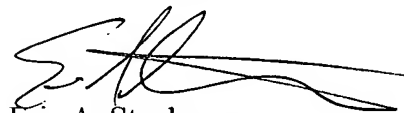
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 Attorney for Applicant(s)	<u>12/23/04</u> Date of Signature

Respectfully submitted,



Eric A. Stephenson
Attorney for Applicant(s)
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